

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

JUL 0 9 2004

REPLY TO THE ATTENTION OF (AE-17J)

# CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jim Schoonover, Operations Manager Intrametco Processing, Inc. 1901 West Louisiana Street Evansville, Indiana 47712

Re: Finding of Violation Intrametco Processing

Dear Mr. Schoonover:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to Intrametco Processing, Inc. (you). We find that you are violating the Secondary Aluminum Production National Emission Standard for Hazardous Air Pollutants (NESHAP), 42 U.S.C. § 7414, at your Evansville, Indiana facility.

We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the \*FOV.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contact in this matter is Joseph Ulfig. You may call him at (312) 353-8205 to request a conference. You should

make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely,

Stephen Rothblatt, Director Air and Radiation Division

Enclosure

cc: David McIver, Chief

Air Section

Indiana Department of Environmental Management

# United States Environmental Protection Agency Region 5

IN THE MATTER OF:	)	FINDING OF VIOLATION
Intrametco Processing, Inc. 1901 West Louisiana Street Evansville, Indiana 47712	) )	EPA-5-04-22-IN
Proceedings Pursuant to the Clean Air Act, 42 U.S.C. §§ 7401 <u>et seq</u> .	) ) )	<u> </u>

## FINDING OF VIOLATION

The United States Environmental Protection Agency (U.S. EPA) finds that Intrametco Processing, Inc. (Intrametco) is violating the Secondary Aluminum Production National Emission Standards for Hazardous Air Pollutants (NESHAP).

## Regulatory Authority

#### 40 C.F.R. Part 63

1. Pursuant to 40 C.F.R. § 63.9(b)(2), the owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard) and must include the information required by this subsection.

## 40 C.F.R. Part 63 Subpart RRR

- 2. Pursuant to 40 C.F.R. § 63.1500, the requirements of Subpart RRR apply to the owner or operator of each secondary aluminum production facility.
- 3. Pursuant to 40 C.F.R. § 63.1501, the owner or operator of an existing affected source must comply with the requirements of Subpart RRR by March 24, 2003; and the owner or operator of an new affected source that commences construction or

reconstruction after February 11, 1999, must comply with the requirements by March 24, 2000, or upon startup, whichever is later.

- 4. A secondary aluminum production facility, as defined at 40 C.F.R. § 63.1503, includes any establishment using clean charge, aluminum scrap, or dross from aluminum production, as the raw material and performing one or more of the following processes: scrap shredding, scrap drying/delacquering/decoating, thermal chip drying, furnace operations (i.e., melting, holding, sweating, refining, fluxing, or alloying), recovery of aluminum from dross, inline fluxing, or dross cooling.
- 5. A scrap dryer, as that term is defined at 40 C.F.R. § 63.1503, means a unit used primarily to remove various organic contaminants such as oil, paint, lacquer, ink, plastic, and/or rubber from aluminum scrap (including used beverage containers) prior to melting.
- 6. A group 1 furnace, as that term is defined at 40 C.F.R. § 63.1503, means a furnace of any design that melts, holds, or processes aluminum that contains paint, lubricants, coatings, or other foreign materials with or without reactive fluxing, or processes clean charge with reactive fluxing.
- 7. An existing secondary aluminum processing unit, as that term is defined at 40 C.F.R. § 63.1503, means all existing group 1 furnaces and all existing in-line fluxers within a secondary aluminum processing facility.
- 8. Pursuant to 40 C.F.R. § 63.1505 (e), the owner or operator of a scrap dryer may choose to comply with the emission limits in this paragraph (e) as an alternative to the limits in paragraph (d) of this section if the scrap dryer is equipped with an afterburner having a design residence time of at least 1 second and the afterburner is operated at a temperature of at least 750 °C (1400 °F) at all times. On and after the compliance date established by §63.1501: The owner or operator of a scrap dryer must not discharge or cause to be discharged to the atmosphere emissions in excess of 5.0 µg of dioxin and furan TEQ per Mg (7.0 × 10-5 gr of D/F TEQ per ton) of feed/charge from a scrap dryer at a secondary aluminum production facility that is a major or area source. 40 C.F.R. § 63.1505 (e)(1)(iii).

- 9. Pursuant to 40 C.F.R. § 63.1505 (k), on and after the compliance date established by § 63.1501, the owner or operator must comply with the emissions limits calculated using the equations in this section for each secondary aluminum processing unit at a secondary aluminum production facility.
- 10. Pursuant to 40 C.F.R. § 63.1506(b), the owner or operator must provide and maintain easily visible labels posted at each group 1 furnace and scrap dryer that identifies the applicable emission limits and means of compliance.
- 11. Pursuant to 40 C.F.R. § 63.1506(c)(3), the owner or operator must operate each capture/collection system according to the procedures and requirements in the operation, maintenance and monitoring plan (OM&M plan).
- 12. Pursuant to 40 C.F.R. § 63.1506(g)(1), the owner or operator must maintain the 3-hour block average operating temperature of each afterburner at or above the average temperature established during the performance test.
- 13. Pursuant to 40 C.F.R. § 63.1506(m)(3), the owner or operator must maintain a 3-hour block average inlet temperature for each fabric filter at or below the average temperature established during the performance test plus 25°F.
- 14. Pursuant to 40 C.F.R. § 63.1510(b): The owner or operator of an existing affected source must submit the OM&M plan to the responsible permitting authority no later than the compliance date established by section 63.1501(a).
- 15. Pursuant to 40 C.F.R. § 63.1510(c), the owner or operator must inspect the labels for each group 1 furnace and scrap dryer at least once per calendar month to confirm that posted labels as required by the operational standard in section 63.1506(b) are intact and legible.
- 16. Pursuant to 40 C.F.R. § 63.1510(s), the facility's OM&M Plan must include the information detailed in this section.
- 17. Pursuant to 40 C.F.R. § 63.1510(t) or (u) The facility must comply with either subpart (t) or (u). 40 C.F.R. Part 63.1510(t) requires daily calculation of emissions while 40 C.F.R. Part 63.1510(u) allows the source to demonstrate

- compliance with applicable emissions limits through performance test.
- 18. Pursuant to 40 C.F.R. § 63.1511(b), the owner or operator of any existing affected source for which an initial performance test is required to demonstrate compliance must conduct this initial performance test no later than the date for compliance established by section 63.1501(a).

## Intrametco's Facility

- 19. Intrametco owns and operates a secondary aluminum facility at 1901 West Louisiana Street, Evansville, Indiana.
- 20. Intrametco owns and operates a scrap dryer at that facility.
- 21. Intrametco owns and operates two group 1 furnaces at that facility.
- 22. The Intrametco facility is an emission source subject to the requirements of the Clean Air Act (Act), including 40 C.F.R. Part 63 Subpart RRR.
- 23. Intrametco's facility was inspected by Evansville EPA (EEPA) on April 3, 2003 by Roberta Smith.
- 24. Intrametco conducted performance emissions testing for D/F on the scrap dryer on May 6-8, 2003, and again on July 8, 2003 after samples from the original May testing were compromised.
- 25. The results of the July 8, 2003 testing show the scrap dryer is discharging an average of 298.588 µg of D/F per Mg of feed/charge.

### **Violations**

- 26. 40 C.F.R. Part 63.9(b)(2) Intrametco's Initial Notification should have been submitted by July 21, 2000. This notification was not received by EEPA until March 11, 2003.
- 27. 40 C.F.R. § 63.1501 Intrametco did not comply with the requirements of Subpart RRR by March 24, 2003.

- 28. 40 C.F.R. § 63.1505 (e)(1)(iii) Intrametco discharged to the atmosphere emissions in excess of 5.0 μg of D/F TEQ per Mg (7.0 × 10-5 gr of D/F TEQ per ton) of feed/charge from a scrap dryer at a secondary aluminum production facility that is a major or area source.
- 29. 40 C.F.R. § 63.1505 (k) Intrametco did not conduct emission testing by March 24, 2003. Therefore, Intrametco could not demonstrate compliance with this emission standard by on the compliance date, March 24, 2003.
- 30. 40 C.F.R. § 63.1506(b) No label was visible on the Scrap Dryer or Group 1 furnaces during EEPA's inspection on April 3, 2003.
- 31. 40 C.F.R. § 63.1506(c)(3) Intrametco did not have, an OM&M plan at the time of EEPA's inspection and could not operate these systems by the procedures and requirements in the plan.
- 32. 40 C.F.R. § 63.1506(g)(1) At the time of EEPA's inspection Intrametco had not conducted the initial performance test, and no parameter for afterburner temperature had been established.
- 33. 40 C.F.R. § 63.1506(m)(3) At the time of EEPA's inspection Intrametco had not conducted the initial performance test, and no parameter for the average inlet temperature for each fabric filter had been established.
- 34. 40 C.F.R. § 63.1510(b) No OM&M plan had been submitted by, Intrametco to EEPA by the time of EEPA's inspection.
- 35. 40 C.F.R. § 63.1510(c) No inspections of the labels for the group 1 furnace and scrap dryer were conducted for the month of April 2003.
- 36. 40 C.F.R. § 63.1510(s) The OM &M Plan was not completed by the time of EEPA's inspection, and therefore the information required by this section was not included.
- 37. 40 C.F.R. Part 63.1510(t) or (u) At the time of EEPA's inspection, performance tests were not completed, nor were calculations being performed and recorded.

38. 40 C.F.R. Part 63.1511(b) - Intrametco conducted its initial performance testing later than March 24, 2003, the compliance date for Subpart RRR.

Date

Stephen Rothblatt, Director Air and Radiation Division

### CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-5-04-22-IN, by Certified Mail, Return Receipt Requested, to:

Jim Schoonover, Operations Manager Intrametco Processing, Inc. 1901 West Louisiana Street Evansville, Indiana 47712

I also certify that I sent copies of the Finding of Violation by first class mail to:

David McIver, Chief
Office of Enforcement Air Section
Indiana Department of Environmental Management
100 North Senate Avenue, Room 1001
Indianapolis, Indiana 46206-6015

on the 12th day of \_\_

2004.

Betty K. Williams Secretary

AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70010320 0006 0045 3130